



Town of Hampden
Planning Board Workshop
Tuesday, November 16, 2021, 6:30 PM
Municipal Building Council Chambers
Minutes

In Attendance:

Planning Board

Kelley Wiltbank, Chair
Richard Tinsman, Vice Chair
Brent Wells
Jennifer Austin
Benjamin Dunham
Gene Weldon

Staff

Clifton Iler, Planner
Wanda Libbey, Recording Clerk
Paula Scott, Town Manager
Amy Ryder, Economic Development Director

Public

Terry McAvoy

The meeting was called to order at 6:30 pm. Chairman Wiltbank verified that all attendees could hear each other.

1. Discussion on Adult Day Services (D-3)

Hampden resident Terry McAvoy requested consideration for changes be made to the Zoning Ordinance Use Table 3.1.1 to allow Nursing Homes (D-1) and Overnight Congregate Care (D-2) as conditional use in the Business Park (See attached Item A).

It was the consensus of the board to have Planner Iler investigate the need for Overnight Congregate Care and prepare a proposal for the Planning Board to consider at a future Planning Board Workshop. They would also like Mr. McAvoy notified each time the Planning Board speaks on this subject.

2. Medical Marijuana Discussion, *requested by Amy Ryder*

a. Medical Marijuana Registered Dispensaries (D-5)

Discussion was held to consider updating the Use Table to allow Medical Marijuana Registered Dispensaries (D-5) as conditional use in the Business District. The zone change would still allow only one dispensary in town in any approved zone.

It was the consensus of the board to task Planner Iler with amending the Use Table and Zoning Ordinance and bring it to future workshop.

b. Medical Marijuana Cultivation Facilities (D-6)

Consideration of changes to ordinance 3.1.3. Planning Board 11-16-21

Good evening Board members and viewers. A few months ago the Town Council approved, with your recommendation, a change to 3.1.3 by adding adult day services (ADS) as a conditional use across all zones. At the time, I had not considered the Business Park (BP) as a reasonable place to locate such a facility. While doing research on ADS designs, I came across an in-depth study which changed my mind.

The study focused upon policy considerations which should be undertaken regarding the delivery of health services for seniors, amongst other issues. The persuasive part for me was an analysis of the currently fragmented nature of health-services availability. In our instance, it was not a big step to consider land use policy as one of the areas in which changes to 3.1.3 could yield a vast improvement which would have a beneficial impact upon where our in-need seniors, and other adults, receive quality of life services. 3.1.3 D3, allows hospital use but does not allow nursing homes, D1. This ordinance does not deal with building sizes, per se, so I can only speculate why one is allowed and the other is not. My opinion is that it is more likely that our community needs would be better served with a centrally located nursing home than a hospital. Also, D1, nursing home and D2, congregate living, each require that they be located with public water and sewer. Perfectly reasonable, but, the effect is that siting for either of these facilities is limited primarily to RA/B, and some business areas, which in turn stifles the development prospects of either. D1 has a 25 bed limit, however, the size of the building to accommodate 25 beds would be considerable and would not fit in with any residential area I can think of. Congregate living facilities are generally operated within modified houses in keeping with the theory that home style accommodations offer a more acceptable treatment and management environment and are limited to 5 guests. I am asking the Planning Board to consider allowing nursing home and congregate living facilities be conditional uses withing the BP.

State licensing of ADS specifically exclude overnight use of the facilities for dementia patients without a specific license. Ideally, a dementia treatment facility is a single purpose facility which makes it impractical to comingle with any other

Discussion was held considering allowing an additional Tier III and Tier IV Adult Use Cultivation facility in the Industrial, Industrial 2, and Industrial Park Zone.

It was the consensus of the board to wait until the currently approved facility opens to revisit and assess its success and impact.

3. Discussion on Homeowners Associations (HOAs), *requested by Jason Lundstrom*

Staff and Planning Board discussed the letter from Deputy Chief Jason Lundstrom dated November 9, 2021 (See attached Item B).

It was the consensus of the board to consider requiring HOAs in subdivisions as a condition of approval on a case-by-case basis to alleviate the concerns raised by Deputy Chief Lundstrom.

4. Adjournment

Motion: Member Dunham moved to adjourn the meeting at 7:42 pm, seconded by Member Weldon; motion carried by roll call vote 6/0/0.

Respectfully submitted by

Wanda Libbey, Administrative Asst



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Deputy Chief Jason Lundstrom
Hampden Fire Department
Hampden, ME 04444

November 9, 2021

Planning Board
Town of Hampden

Dear Members of the Planning Board,

I would like to recommend that the planning board require the establishment of a Homeowners Association (HOA) as a condition of approval for all new subdivisions. I would also like to recommend that a memorandum of understanding between the property owner and the Town of Hampden be required for all new subdivision being built as rental units. The purpose of this request is to assure that it will be the responsibility of the Homeowners Association or property owner to install, repair, service, replace, and maintain private water supplies for fire suppression. This request is being made in consultation with the Town attorney. I sincerely appreciate your consideration.

Respectfully,

A handwritten signature in black ink, reading "Jason Lundstrom".

Jason Lundstrom
Deputy Fire Chief
Hampden Fire Department